

Docket No.: 0038-0460PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Naoki ITO et al.

Application No.: 10/535,496

Confirmation No.: 4054

Filed: May 18, 2005

Art Unit: 3677

For: TIGHTENING BAND

Examiner: Not Yet Assigned

AMENDMENT, PETITION AND FEE TO DELETE AND/OR ADD TO
ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED INVENTOR(S) IN
-NONPROVISIONAL APPLICATION- DECLARATION
(37 C.F.R. § 1.48(A))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. This amendment and petition to withdraw abandonment of and to correct the incorrect original naming of inventors in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on April 24, 2006.

Addition of Inventors:

Add the following previously unnamed person(s) as inventor(s) of this application

Inventor: Residence (city and foreign country):

Kazuhiro FUJIMORO, Nagano, JAPAN; and

Noriaki YAJIMA, Nagano, JAPAN

Attachments:

2. A statement from:

each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(2).

a declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63. 37 C.F.R. § 1.48(a)(3).

written assent of the assignee (*if any of the original inventors executed an assignment*) 37 C.F.R. § 1.48(a)(5).

3. The fee as set forth in (37 C.F.R. § 1.17(i)).

Applicant provided a Response to the Notice of Defective Reply dated August 31, 2006 timely, on September 30, 2006. Applicant, however, did not fully comply with the Notice of Defective Reply due to misunderstanding of the Notice. In view of the fact that Applicant did timely respond to the Notice of Defective Reply on September 30, 2006 and did not receive any further written communication from the U.S. Patent and Trademark Office, it is respectfully submitted that the present application was not abandoned. Thus, Applicant requests that the petition fee in the amount of \$770.00 filed concurrently herewith be returned to the Applicant by way of a credit to Deposit Account No. 02-2448.

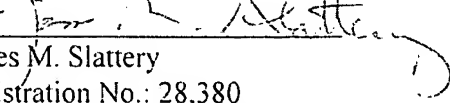
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: April 8, 2008

Respectfully submitted,

By 
James M. Slattery
Registration No.: 28,380
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachments

Petition to Withdraw Holding of Abandonment

Petition to Correct Inventorship

New Declaration

Assent of Assignee

Statement of Inventor Yajima

Statement of Inventor Fujimori